



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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October 11, 2000

Jason Shumway
Picture Rock Quarry
1025 South 200 East 95-15
Blanding, Utah 84511

Re: Conditional Acceptance of Notice of Intention to Commence Small Mining Operations, Picture Rock Quarry Project, S/037/099, San Juan County, Utah

Dear Mr. Shumway:

Thank you for your completed Notice of Intention to Commence Small Mining Operations received by the Division on October 4, 2000. The proposed Picture Rock Quarry Project is located in the SW1/4 of section 3 and the SE1/4 of section 4, T38S, R24E, SLBM, San Juan County, Utah. The application is considered complete with the exception that no map was included indicating the exact location of the quarry. A copy of the Blanding Quadrangle map has been included with this letter for your use in locating this site for the Division. Please locate the site on the enclosed map and return it to the Division within the next 10 days. When the map is received by the Division, the Notice will be considered complete.

In accordance with rule R647-3-105 regarding the project location, the areas to be disturbed should be plotted on a map in sufficient detail so that they can be located on the ground. It is also required that the operator mark the proposed (5 acre or less) disturbed area boundary (including access/haul roads) in the field with metal T-Posts (or with some other marker of equal effectiveness). Markers must be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.

Your application included a variance request for "removing stockpiled material to cover where rock has been removed." We are unable to grant this as a variance request as stated. The statement is more of an operational plan than something which would require a variance. A variance is a request to conduct a practice that is presently not allowed in the Division's rules. If we have misinterpreted your intentions please notify us. We will reconsider this decision, if your actions is on a practice that the Division is allowed to grant a variance for.

The Utah Mined Land Reclamation Act of 1975 [40-8-7(I)] provides the authority for fee implementation which was approved by the Utah Legislature at its 1998 session. Commencing July 1, 1998, the fees are assessed to new and existing notices of intention, and annually thereafter. Small Mining Notices require a \$100.00 annual fee, which you have paid each year since the fee program was initiated.

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For your reference, I have enclosed copies of our summarized rules regarding "Operation and Reclamation Practices," and the statutory penalty for failure to reclaim a minesite (SMO-1). Please give special consideration to item #10 of the "Operation and Reclamation Practices. Stockpiling topsoil material prior to beginning your mining operation will help ensure successful revegetation efforts upon final reclamation of the minesite. If the area being mined is a solid rock outcrop, or if the land surface is very rocky, then soil stockpiling is probably not possible. However, even the first few inches of undeveloped material is worth saving to aid in later revegetation efforts, and future regulatory release from reclamation requirements.

Should you wish to expand your operation beyond the five (5) acre limitation, please notify this office as soon as possible to discuss the necessary permitting requirements. Approval of a large mining notice could take from six to twelve months or longer. You would also have to receive approval from the BLM to expand your permitted area.

A copy of your submission will be forwarded to the Monticello BLM Field office along with a copy of this letter. For operations located on BLM managed lands you will also need their approval to operate.

Thank you for your cooperation. When in the area, a member of the Division staff will examine the site. Best wishes with your mining operation.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Jensen".

Doug Jensen
Senior Reclamation Specialist

jb
Enclosure
cc: Ted McDougal BLM, Monticello, FO w/notice
S37-99-tentapv